

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

TRENELL COLEMAN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

HONORABLE ANNE E. THOMPSON

Civil Action
No. 09-6330 (AET)

OPINION

R E C E I V E D

MAR 27 2018

AT 8:30 _____M
WILLIAM T. WALSH
CLERK

APPEARANCES:

Trenell Coleman, Petitioner Pro Se
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Jesup FCI
Inmate Mail/Parcels
2600 Highway 301 South
Jesup, GA 31599

THOMPSON, District Judge:

Before the Court is Petitioner Trenell J. Coleman's motion for an injunction pending appeal. Motion, Docket Entry 28.

1. Petitioner filed a motion under 28 U.S.C. § 2255 on December 16, 2009 raising various ineffective assistance of counsel claims. This Court denied the motion, *Coleman v. United States*, No. 09-6330, 2010 WL 3359485 (D.N.J. Aug. 25, 2010), and the Third Circuit denied a certificate of appealability, No. 11-1756 (3d Cir. June 15, 2011).

2. Six years later, Petitioner filed a motion for release arguing the Court lacked jurisdiction over him and raising

arguments under the U.C.C. The Court denied the motion as frivolous on September 15, 2017. Docket Entry 23.

3. Petitioner appealed the order to the Third Circuit on October 2, 2017. Docket Entry 24. He filed the instant motion for an injunction both in his appeal and in this Court.

4. The Third Circuit affirmed this Court's order on March 5, 2018. *Coleman v. United States of America*, No. 17-3186 (3d Cir. Mar. 5, 2018).

5. The Court dismisses the motion for an injunction pending appeal as moot as the Third Circuit has already denied Petitioner's appeal. Moreover, Petitioner would not have been entitled to an injunction because he did not meet the standards under Federal Rule of Civil Procedure 65 as he could not have shown he was likely to succeed on the merits of his claim for the reasons stated in this Court's prior opinion.

6. An appropriate order follows.

3/20/18
Date

Anne E. Thompson
ANNE E. THOMPSON
U.S. District Judge